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HOUSE STUDY GROUP • TEXAS HOUSE OF REPRESENTATIVES
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REP. JOHN BRYANT, Chairman

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HOUSE STUDY GROUP

daily floor report

WEDNESDAY, JANUARY 10, 1979
Sixty-sixth Legislature

The House convenes at 10:30 a.m.

The order of business in the House today is as follows:

Roll Call.

Consideration of a resolution enacting the rules of procedure for the House.

At 11:00 Governor Briscoe will give his State of the State address to a joint session of the Legislature.

Today's floor report contains a summary of the rules changes proposed by the Speaker and the Sam Houston Caucus.



John Bryant, Chairman

Following is a summary of the major changes proposed by the Speaker.

Rule IV, Standing Committees

The proposed changes to Rule IV create four new committees, eliminate three existing committees, and reorganize committee jurisdictions.

The total number of committees is increased from 28 to 30. A new Government Organization Committee is created to handle sunset matters. Health and Welfare is split into Health Services and Human Services Committees. The Social Services Committee is dropped and its law enforcement and corrections responsibilities are given to a new Security and Sanctions Committee. Its welfare-related functions are given to Human Services. The Labor Committee is renamed Employment Practices and is given authority over workers' compensation which had formerly been under Judiciary.

Adding new committees and expanding others increases the number of committee slots by 24 to 298. Apparently there are more committee seats than can be filled under the rules. This will probably require a reduction in the number of seats on some committees.

Following is a description of some of the proposed committee changes:

Committee

Proposal

Criminal Jurisprudence

Adds Court of Criminal Appeals to jurisdiction. This court was not previously mentioned in the rules. Deletes Board of Pardons and Paroles from jurisdiction. The board is moved to the new committee on Security and Sanctions.

Employment Practices

New committee, replacing old Labor Committee. Membership is 11, compared to 9 on Labor. Adds workers' compensation and Industrial Accident Board to jurisdiction, transferred from Judiciary Committee.

Financial Institutions

Increases membership from 9 to 11.

Government Organization

New committee to handle sunset functions. Provides for 11 members. Jurisdiction covers bills and other matters relating to Sunset.

Committee

Proposal

Health Services

New committee covering health portion of Health and Welfare plus Texas Commission on Alcoholism. Provides for 9 members. Jurisdiction include the following: public health protection and health professions, mental health and mental retardation, health facilities, and nursing homes.

Health and Welfare

This committee is deleted. Its functions are given to Health Services and Human Services committees.

Human Services

New committee covering welfare and other functions transferred from Health and Welfare, Social Services, and State Affairs. Provides for 9 members. Jurisdiction covers welfare programs, veterans, aging, and senior citizens' programs, rehabilitation, the blind, the deaf; and the Texas Department of Community Affairs (not specifically listed in the rules before).

Judiciary

Deletes workers' compensation and Industrial Accident Board from jurisdiction. These are moved to new Employment Practices committee.

Labor

Deletes committee. Functions transferred to new Employment Practices Committee.

Liquor Regulation

Increases membership from 9 to 11.

Natural Resources

Deletes the Soil and Water Conservation Board from jurisdiction, ending its dual listing with Agriculture.

Regions, Compacts, and Districts

Increases membership from 9 to 11.

Social Services

Deletes committee. Functions are transferred to Security and Sanctions and Human Services.

Security and Sanctions

New committee, covering law enforcement and corrections. Functions transferred from Social Services, Criminal Jurisprudence and Transportation. Provides for 11 members. Jurisdiction includes the Texas Youth Council, adult probation, Texas Department of Public Safety (except for traffic law bills), and jail standards.

Committee

Proposal

State Affairs

Deletes Veterans Affairs Commission from jurisdiction; transferred to Human Services.

Transportation

Decreases membership from 13 to 11. Limits jurisdiction over DPS to traffic (other DPS matters transferred to Security and Sanctions).

No changes are proposed for the following committees, except to delete any standing subcommittees:

Agriculture

House Administration

Appropriations

Insurance

Business and Industry

Intergovernmental Affairs

Calendars

Judicial Affairs

Constitutional Amendments

Local and Consent Calendars

Elections

Public Education

Energy Resources

Rules

Higher Education

Ways and Means

Rule V, Committees

One of the Speaker's proposals would allow Appropriations committee members, except for the chairperson, to serve on another substantive committee. They were prohibited from doing so in the past.

Another change would require House Administration to post notice five days before a meeting during the interim. The rule already applies to other committees.

A further change would require a committee bill analysis to contain a statement on the scope of any rulemaking authority the bill gives to agencies or officers of the state. The statement could include a cost estimate for the rulemaking authority.

Rule XVI, Bills

Current rules prohibit the House from appropriating money in the first 120 days of the session or before the general appropriations bill is passed and certified, whichever comes first. This rule does not apply to bills appropriating money for:

- the payment of expenses of the legislature
- the payment of judgments against the state
- any emergency matter when requested by the governor in a formal message to the legislature.

Under the proposed change, the rule would not apply to bills "allocating" money for the above purposes either.

Rule XVI, continued

Another change would require the general appropriations bill to be passed and certified before any other bill appropriating money could be signed by the Speaker. Those bills would then be sent to the Comptroller for certification in the order in which they passed.

If the Appropriations Committee fails to report the general appropriations bill by the 90th calendar day of the session, this rule is suspended.

Rule XVIII, Amendments

A rules change proposed under a section of this rule specifies that four complete measures can be pending during debate on a bill. The new wording permits consideration of "an original bill, an amendment striking out all after the enacting clause of the bill and inserting a new bill body, an amendment to the amendment striking out all after the enacting clause of the bill and inserting a new bill body, and a substitute for this amendment to the original bill which is also a new bill body." According to Parliamentarian Bob Kelly, this clarifies what has been common practice in the past.

The other proposed change in this rule says that amendments related to any aspects of an agency under the Sunset Act review would be germane.

The "Sam Houston Caucus" has proposed the following rules changes:

Seniority of members who have equal service would be determined by lot at the beginning of each session. The current practice is to have members draw at the beginning of their first term. Their ranking within their class remains the same for as long as they are members of the House. Under the proposed rule, ranking within a class would be redetermined at the beginning of every session.

Another proposed change would allow members to change their seniority selection of committee assignments if all seniority slots on the committee of their choice were already filled. Under current procedure, members select their committees without knowing whether other members with more seniority have already filled the seniority positions on the committee. (The number of seniority slots equals the number of seats minus chair and vice-chairs, divided by two.)

A member would be allowed to take his/her priority number off a house bill and put it on the bill's senate version if the senate bill passes the senate before the house bill gets out of house committee. Under the present rules the priority number drawn by each member at the beginning of the session can be used only on a house bill.

The priority number gives a bill priority in the house calendar committees but not in any other committee. The caucus is proposing that the priority-numbered bills be given priority in substantive committee. Under this system a bill with a priority number would get a hearing in committee before any bill without such a number.

Another change would require that all local bills reported to the Local and Consent Calendars Committee must be set on the local calendar. The setting of bills on a calendar is usually within the discretion of calendar committee members under current rules.